

Minutes
Georgia Board of Private Detective and Security Agencies
Friday, October 20, 2005

Minutes Approved at the December 1, 2005 Meeting

The Georgia Board of Private Detective and Security Agencies held a work session on October 20, 2005 at 237 Coliseum Drive, Macon, Georgia. Mr. John Villines, Chairman, called the session to order at 9:20 a.m.

A quorum was established with members present being: John Villines, Chair, James Mitchell, Vice-chair, Vernon Keenan, Board Member, Robert Warner, Board Member, and Gary Baker, Board Member.

Others present were: Steve Lindsey, Executive Director.

The board discussed the requirements of O.C.G.A. § 43-38-7 and O.C.G.A. § 43-38-7.1. The board agreed to table further discussion until the October 27 meeting, in order to allow GBI Director Vernon Keenan to review the requirements.

Mr. Mitchell moved to request a report of all outstanding complaints from the Enforcement Section by the December 1, 2005 meeting, and a report detailing the open and closed cases with month and year. Mr. Mitchell further moved to request that the Enforcement Section provide summaries on reasons for outstanding status of pending cases. Mr. Warner seconded. Motion carried.

Mr. Mitchell moved to establish a committee to review outstanding cases for recommendations to the board on actions to be taken. Mr. Baker seconded. Motion carried. Mr. Warner and Mr. Baker volunteered to serve on the committee.

The board discussed rules on continuing education. Mr. Mitchell opened discussion with the topic of the number of hours the board will require for continuing education each year for private detective employees and license holders and for security employees and license holders.

Mr. Mitchell moved to establish two rules for continuing education that will detail the requirements separately for private detective continuing education and for private security continuing education. Mr. Warner seconded the motion. Motion carried.

Mr. Mitchell moved to establish a rule to be effective 9/01/07 to require 8 hours of classroom continuing education per year for all persons required to be registered with the board as private detective employees. In addition to the 8 hours of classroom education, Mr. Mitchell moved that every person with an armed private detective employee registration must obtain 2 hours of firearms requalification training per year. Mr. Mitchell further moved that employees hired and obtaining the initial training will be exempt from the requirements of continuing education for the first renewal period, although annual requalification for a weapon permit will still be required. Mr. Warner seconded. Motion carried.

Mr. Mitchell moved to establish a rule to be effective 9/01/07 to require 5 hours of classroom continuing education per year for all persons required to be registered with the board as private or in-house security employees. In addition to the 5 hours of classroom education, Mr. Mitchell moved that an additional 2 hours of firearms

requalification training per year must be obtained by all registered security employees. Mr. Mitchell further moved that employees hired and obtaining the initial training will be exempt from the requirements of continuing education for the first renewal period, although annual requalification for a weapon permit will still be required. Mr. Warner seconded. Motion carried.

Regarding the provisions of the rule requiring 2 hours per year of requalification training for registrants with weapon permits, Mr. Mitchell moved that all weapon requalification training must include the following provisions:

1. Instruction must be conducted by an instructor licensed by the board;
2. Instruction must be provided on the constitutional and legal limitations on the use of deadly force;
3. Instruction must be provided on the company's policies regarding the use of deadly force; and
4. Instruction must be provided on weapon retention and firearms safety.

Mr. Baker seconded. Motion carried.

Mr. Mitchell moved to amend the title of Rule 509-3-.02 to "Private Security Officers." Mr. Mitchell further moved to amend the provisions of the rule. A final draft of the amended rule will be presented for board review at the December 1, 2005 meeting. Mr. Warner seconded. Motion carried.

Mr. Mitchell moved to repeal Rule 509-3-.03 when the amendments to Rule 509-3-.02 are approved by the board, as provisions of Rule 509-3-.03 will be included in the amended Rule 509-3-.02. Mr. Warner seconded. Motion carried.

Mr. Mitchell moved to amend the title of Rule 509-3-.05 to "Private Detective Personnel." Mr. Mitchell further moved to amend the provisions of the rule. A draft of the amended provisions of the rule will be finalized and presented to the Board at the December 1, 2005 meeting. Mr. Warner seconded. Motion carried.

Mr. Mitchell moved to repeal Rule 509-3-.04 and Rule 509-3-.06 when the amendments to Rule 509-3-.05 are approved by the board, as all provisions of Rules 509-3-.04 and 509-3-.06 will be included in the amendments to Rule 509-3-.05. Mr. Warner seconded. Motion carried.

Mr. Mitchell moved to amend the title to Rule 509-3-.08 to "Shotgun Training" to better reflect the provisions of the rule. Mr. Mitchell further moved to delete paragraph 2 of the rule in its entirety. Mr. Baker seconded. Motion carried.

The board discussed legislative amendments to the "Georgia Private Detective and Security Agencies Act," O.C.G.A. § 43-38.

Mr. Mitchell moved to pursue legislative amendment to O.C.G.A. § 43-38-3 (3). Mr. Warner seconded. Motion carried. A draft of the proposed amendment will be presented to the board at the December 1, 2005 meeting.

Mr. Warner moved to pursue legislative amendments to O.C.G.A. § 43-38-6 (a) and O.C.G.A. § 43-38-6 (b) (7). Mr. Mitchell seconded. Motion carried. A draft of the proposed amendment to these sections will be presented to the board at the December 1, 2005 meeting.

Mr. Mitchell moved to pursue legislative amendments to O.C.G.A. § 43-38-10. Mr. Warner seconded. Motion carried. A draft of the proposed amendment to this section will be presented to the board at the December 1, 2005 meeting.

Mr. Keenan moved to pursue legislative amendment to O.C.G.A. § 43-38-10.1. Mr. Baker seconded. Motion carried. A draft of the proposed amendment to this section will be presented to the board at the December 1, 2005 meeting.

Mr. Mitchell moved to pursue legislative amendment to O.C.G.A. § 43-38-14. Mr. Warner seconded. Motion carried. A draft of the proposed amendment will be presented to the board at the December 1, 2005 meeting.

Adjournment:

There being no further business, Mr. Mitchell moved to adjourn today's meeting. Mr. Baker seconded the motion. Motion carried. Meeting adjourned at 2:00 p.m.